

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 08/01/03.

I. DISPUTE

Whether there should be additional reimbursement for CPT code 97799-CP for the dates of service 08/05/02 through 10/11/02.

II. RATIONALE

The requestor billed the carrier \$16,920.00 and the carrier made no reimbursement, based on the denials of "V-U-Payment withheld, peer review indicates the T/S not medically necessary. Peer review report attached", for dates of service 08/05/02 through 10/11/02. According to Rule 134.600(b)(1)(B), the carrier is liable for all reasonable and necessary medical costs when any healthcare was approved prior to providing the healthcare. The requestor obtained preauthorization per letter dated 07/03/02. The requestor is a non-CARF accredited facility and according to MFG MGR (II)(C) a 20% reduction will be applied to the total charges. Therefore, reimbursement is recommended for CPT code 97799-CP on the dates of service 08/05/02 through 10/11/02 in the amount of **\$13,536.00. (\$16,920.00 – 20% for non-CARF=\$13,536.00)**

III. DECISION & ORDER

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is** entitled to reimbursement for CPT codes 97799-CP. Pursuant to Sections 402.042, 413.016, 413.031, and 413.019 the Division hereby **ORDERS** the Respondent to remit **\$13,536.00** plus all accrued interest due at the time of payment to the Requestor within 20 days receipt of this Order.

The above Decision and Order is hereby issued this 15th day of January 2004.

Michael Bucklin
Medical Dispute Resolution Officer
Medical Review Division

David R. Martinez, Manager
Medical Dispute Resolution
Medical Review Division

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